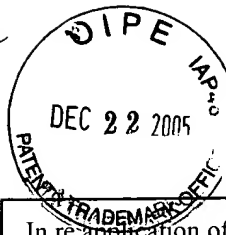


Patent Case No. 18972PCA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donnelly et al.

Serial No.: 09/835,694

Filed: April 1, 2001

Group Art Unit: 1636

Examiner: James S. Ketter

For: NUCLEIC ACID VACCINES AGAINST HUMAN INFLUENZA
VIRUS (as amended)

PETITION FOR EXTENSION OF TIME UNDER § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant(s) hereby petition(s) to the Commissioner for Patents for an extension of the shortened statutory period for replying to the outstanding Office Action dated 7/25/2005 in the above-identified application. A response to said Action is (is not) attached hereto.

Please charge the following fee to Deposit Account No. 13-2755:

- ☐ \$120 -- First Month Extension
☒ \$450 -- Second Month Extension
☐ \$1020 -- Third Month Extension
☐ \$1590 -- Fourth Month Extension
☐ \$2160 -- Fifth Month Extension

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account **13-2755**. Duplicate copies of this sheet are enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. Mark Hand Date 20 Dec. 2005
MERCK & CO., INC.

12/23/2005 SSESHE1 00000078 132755 09835694

01 FC:1252 450.00 DA

IN DUPLICATE

Respectfully,

J. Mark Hand

By: J. Mark Hand

Attorney _____ For Applicant(s)

Reg. No. 36,545

MERCK & CO., INC.
Patent Dept., RY60-30
P.O. Box 2000
Rahway, N.J. 07065-0907

(732) 594-3905

Date: 20 December 2005